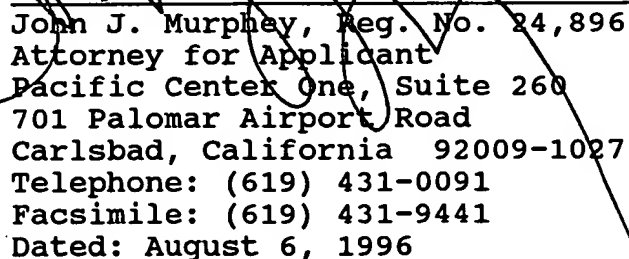


REMARKS

The Examiner has divided Applicant's claimed invention into apparatus claims and method claims and, further, has divided the apparatus claims into three (3) specie, alleging Specie I to correspond to Figure 1, Specie II to correspond to Figure 2, and Specie III to correspond to Figure 3. The Examiner has required Applicant to restrict his claims to either the apparatus or the method and to select a single specie. Applicant has done so.

It is not in the nature of Applicant or Applicant's counsel to traverse the restriction requirements of the patent examiners, however, in this particular case, Applicant's counsel wishes to point out to the Examiner that U.S. Patent 4,610,784 to Reyniers contains both apparatus claims and method claims. Since these two, allegedly distinct, inventions were allowed in one patent to Reyniers, then the question arises as to why such apparatus and method claims cannot be made part of Applicant's application and examined simultaneously? The inventions do not become distinct by the passage of time. It appears that there may be an issue of Equal Protection here.

Respectfully submitted,



John J. Murphay, Reg. No. 24,896  
Attorney for Applicant  
Pacific Center One, Suite 260  
701 Palomar Airport Road  
Carlsbad, California 92009-1027  
Telephone: (619) 431-0091  
Facsimile: (619) 431-9441  
Dated: August 6, 1996